IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO.1242 (SS) 2001

(Old No. 42327/2000)

Budhram 6998248 Ex-Hva, Dvr, (M.T.) resident of village Nakur, Post Office Khirmande, District Pithoragarh via Gangolighat, District Pithauragarh. .....Petitioner

Versus

1. Union of India,
2. Army Head Quarter,
   Adjt's Branch Beneral New Delhi-11.
3. E.M.E. Records, Secundarabad-21.
4. Directorate General of E.M.E. (EME, Pens), Master General of the Ordinance Branch Army Head Quarter, DHQ, P.O. New Delhi.
5. Soldier Board, Pithauragarh.

.....Respondents.

Mr. Bipin Bihari and Rajiv Sharma, Advocate for the petitioner.
Ms. A. Bhargava, Advocate for the Central Government.

Dated: 22.02.2006

Hon'ble Rajesh Tandon, J.

By the present writ petition, the petitioner has prayed for a writ mandamus directing the respondents to pay gratuity and other pensionery benefits along with his arrears and to go paying the pensionery benefits whenever it falls due.

2. During the course of the arguments, learned counsel for the petitioner has pressed for a writ pf mandamus directing the respondents to decide the representation of the petitioner regarding the pensionery benefits.

3. So far as the pensionery benefits are concerned, according to the case of the petitioner, he has served 22 years and five months' service in the Army, but he has not been granted gratuity as well as disability pension.

4. Regarding the aforesaid grievances, the petitioner has made a representation before the respondents, but the same has not been considered.

5. Liberty is given to the petitioner to file a fresh representation within two weeks from the date of presentation of the certified copy of the order.

6. The respondents, are directed to consider the representation along with the old one and dispose of the same within a period of six weeks thereafter.

7. Writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

22.02.2006
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